

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

UNITED STATE OF AMERICA and	§	
STATE OF TEXAS <i>ex rel.</i> KALLEN	§	
WHEELER,	§	
	§	
Plaintiffs,	§	
	§	
v.	§	Civil Action No. 3:20-CV-2121-E
	§	
EMERGICON, LLC, et al.,	§	
	§	
Defendants.	§	

ORDER

Having reviewed the United States of America's Notice That It is Not Intervening at This Time (Doc. No. 20) and the State of Texas's Notice of Election to Decline Intervention (Doc. No. 21), and pursuant to the False Claims Act, 31 U.S.C. § 3730(b)(4), **IT IS HEREBY ORDERED** that:

1. The Amended Complaint in the above-referenced action shall be unsealed **after** the date of this Order and served upon Defendants by Relator;
2. All other contents of the Court's file in this action shall remain under seal and shall not be made public or served upon Defendants pursuant to L. Civ. R. 79.4 or otherwise, except for this Order, the Complaint, and the Declination Notices filed by

the United States of America and the State of Texas, which Relator shall serve upon Defendants only after service of the Complaint;

3. The seal shall be lifted and all papers filed or lodged in this action after the date of this Order shall not be sealed, unless otherwise ordered by the Court;

4. The parties shall serve all pleadings and motions filed in this action, including supporting memoranda, upon the United States of America and the State of Texas, as provided for in 31 U.S.C. § 3730(c)(3). The United States of America and the State of Texas may order any deposition transcripts and are entitled to intervene in this action, for good cause, at any time;

5. All orders of this Court shall be sent to the United States of America and the State of Texas; and

6. Should Relator or Defendants propose that this action be dismissed, settled, or otherwise discontinued, the Court will solicit the written consent of the United States of America and the State of Texas before ruling on or granting its approval.

The Court Administratively Closes this case pending service by Relator on Defendants. Pursuant to Rule 4(m), Relator has 90 days from the date order to serve defendants. Once an executed return of service or waiver has been filed with the Court, this case reopened.

There appears to be no further reason at this time to maintain the file as open for statistical purposes. The Clerk is therefore instructed to submit a JS-6 form to the Administrative Office, thereby removing this case from the statistical records.

Nothing in this Order shall be considered a dismissal or disposition of this case. Upon the United States intervention in this action or to notification to the Court that it declines to do so, this case will be reopened.

SO ORDERED.

Signed March 24th, 2023.



ADA BROWN

UNITED STATES DISTRICT JUDGE